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Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TERRENCE DAVIS, on behalf of himself
and all others similarly situated,

Plaintiffs,

v.

MICHAEL J. ASTRUE, Commissioner of the
Social Security Administration,

Defendant

CIVIL ACTION No.: 3:06-CV-6108 MHP

~~[PROPOSED]~~ ORDER AND
STIPULATION FOR SUSPENDING
LITIGATION FOR DEFENDANT'S
REVIEW OF PLAINTIFFS' OFFER OF
SETTLEMENT

The parties stipulate that the current dates to amend the Second Amended Complaint and file the Motion for Certification of Class Action (Doc. No. 77) be extended for forty-five (45) days to **September 4, 2008**, and to **September 15, 2008**, respectively. Defendant will file its responsive pleading to Plaintiff's amended complaint and opposition to motion for certification no later than **November 13, 2008**. Plaintiff's reply brief in support of his motion for class certification will be filed no later than **November 24, 2008**.

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[PROPOSED] ORDER AND STIPULATION FOR SUSPENDING LITIGATION FOR
DEFENDANT'S REVIEW OF PLAINTIFFS' OFFER OF SETTLEMENT

1 The hearing date for the motion for class certification will be noticed for **December 22,**
2 **2008.** If there is a motion to dismiss the amended complaint filed, it will be noticed for
3 **December 22, 2008.**

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5 This request is made to allow Defendant adequate time to review Plaintiffs' Offer of
6 Settlement, sent on July 15, 2008.

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8 Respectfully submitted,

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10 _____ /s/

11 Date: July 21, 2008

Steven Bruce, Attorney for Plaintiffs

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13 _____ /s/

14 Date: July 21, 2008

Andrew Cheng, Attorney for Defendant

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~~Proposed~~ Order

The Court, having considered the stipulation of the parties, hereby orders that:

1. The time for Plaintiffs to file an amended complaint be extended to **September 4, 2008;**
2. The time for Plaintiffs to file the Motion for Certification of Class Action be extended to **September 15, 2008;**
3. The time for Defendant to file a responsive pleading to Plaintiffs' amended complaint will be no later than **November 13, 2008;**
4. The time for Defendant to file its Opposition to Plaintiffs' Motion for Certification of Class Action no later than **November 13, 2008;**
5. Plaintiff's reply brief in support of his motion for certification will be due on **November 24, 2008;** and
6. The hearing dates for the motion for class certification and for any motion to dismiss filed by defendant will be **December 15, 2008.**

IT IS SO ORDERED.

Date: July 22, 2008

